

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Kyle Oesch,

Plaintiff,

v.

**Ohio Department of Corrections, et al.,
Defendants.**

Case No. 2:19-cv-1758

Judge Michael H. Watson

Magistrate Judge Vascura

ORDER

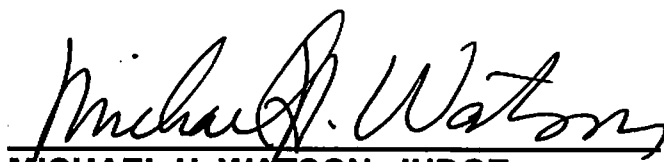
On May 7, 2019, Magistrate Judge Vascura issued a Report and Recommendation ("R&R") recommending the Court dismiss Plaintiff's *pro se* prisoner civil rights Complaint for failure to state a claim. R&R 1, ECF No. 3. The R&R notified the parties of their right to object and warned that a failure to timely object would result in a waiver of *de novo* review by the Undersigned as well as a waiver of the right to appeal the Undersigned's adoption of the R&R. *Id.* at 8. The time period for filing objections to the R&R has expired, and no objections were filed.

The record reflects that the R&R was mailed to Plaintiff at the address he provided in the Complaint but was returned as undeliverable. ECF No. 4. Although it appears Plaintiff may no longer reside at this address, he has not provided the Court with an updated address. Plaintiff has an affirmative duty to notify the Court of any change in address. See *Barber v. Runyon*, No. 93-6318, 1994 WL 163765, at *1 (6th Cir. May 2, 1994) ("If [*pro se* Plaintiff's] address

changed, she had an affirmative duty to supply the court with notice of any and all changes in her address.”); see also *Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991) (“[W]hile *pro se* litigants may be entitled to some latitude when dealing with sophisticated legal issues . . . there is no cause for extending this margin to straightforward procedural requirements that a layperson can comprehend.”); *Walker v. Cognis Oleo Chem., LLC*, No. 1:07cv289, 2010 WL 717275, at *1 (S.D. Ohio Feb. 26, 2010) (“By failing to keep the Court apprised of his current address, Plaintiff demonstrates a lack of prosecution of his action.”).

As no objections have been filed, the Court **ADOPTS** the R&R and **DISMISSES** the case. The Clerk shall enter judgment for Defendant and terminate the case.

IT IS SO ORDERED.


MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT